

Chairman Ed Royce
Subcommittee on International Terrorism and Nonproliferation
Border Vulnerabilities and International Terrorism, Part I
July 5, 2006
San Diego, CA

This hearing of the Subcommittee on International Terrorism and Nonproliferation will come to order. I should note at the outset, for the record, that the Subcommittee is meeting outside of Washington, at the Imperial Beach Border Patrol Facility in San Diego. The Subcommittee welcomes the participation of several non-Subcommittee Members, including Congressman Bob Filner, in whose congressional district this hearing is being held.

The purpose of this hearing --titled *Border Vulnerabilities and International Terrorism*-- is to assess the threat of international terrorism, and scrutinize our nation's response. The *number one* priority of the U.S. Border Patrol, as presented in its National Border Patrol Strategy, is to "Establish substantial probability of apprehending terrorists and their weapons as they attempt to illegally enter the United States between the ports of entry." The Subcommittee today will be focused on this critical mission.

In April, the Subcommittee conducted a similar oversight hearing -- *Checking Terrorism at the Border*-- which critically looked at the U.S. Customs and Immigration Services. The Subcommittee heard testimony of fraud, corruption and national security compromises within that agency, which terrorists and foreign intelligence agencies are likely exploiting. The 9/11 terrorists entered our country this way, most by fraudulently securing documents and/or violating their terms of stay. Our hearing caught the attention of USCIS's leadership, and hopefully its operations will improve. This week, with field hearings in San Diego today, and Laredo, Texas on Friday, the Subcommittee will examine our physical borders' vulnerability to terrorism.

It's elementary that to defend ourselves against our determined and resourceful enemies, our border must be secure; or in the parlance of the Border Patrol, we must have "operational control." The Border Patrol acknowledges that we don't have this now, which is obvious, especially to those Americans who live in border communities and suffer the consequences of illegal immigration. As we'll hear today from our panel of

sheriffs, drug cartels, smuggling rings, and gangs operating on both the Mexico and U.S. sides, are increasingly well-equipped and more brazen than ever before in attacking federal, state and local law enforcement officials. Border Patrol agents are being assaulted in increasing numbers. Some border areas can be accurately described as war zones.

These border vulnerabilities are opportunities for terrorists. Last year, a top Department of Homeland Security official testified to Congress that al Qaeda has considered crossing our southwest border. It may have already happened. Admiral James Loy, then the Department of Homeland Security's deputy secretary, also noted that al Qaeda leaders believe that illegal entry is more advantageous than legal entry for operational security reasons. The National Border Patrol Strategy warns of an "ever-present threat" of potential terrorists employing the same smuggling and transportation networks illegal aliens use to cross our border. These terrorists, the *Strategy* states, could cross the border undetected with biological or chemical weapons. One of our witnesses smuggled radioactive material, enough to make a dirty bomb, through two land ports of entry, one on the northern border, one on the southwestern border. Our Border Patrol witness will testify that reducing illegal entries across our border is now more than ever a matter of national security. Post 9/11, I don't know how you look at the porous and in some places violent state of the border, including the sophisticated cross-border tunnels that are being dug, without being very concerned.

Lately there has been a spike in the number of individuals from countries other than Mexico illegally crossing our borders. Last year, the Border Patrol apprehended individuals from Syria, Iran, and Somalia crossing the southern border. These countries are either designated "state sponsors of terrorism," or countries where al Qaeda and affiliated terrorist organizations are active. In 2005, over 30,000 Brazilian nationals were apprehended, a 900 percent increase from the previous year. Hezbollah is active in the Argentina-Paraguay-Brazil border area. The FBI has testified to Congress that individuals from countries where al Qaeda is operational are changing Islamic surnames to Hispanic surnames, a cause of concern. Too often illegal immigrants who are not from Mexico are apprehended, released with a promise to report to court, and are never heard from again. Immigration reform must be national security reform.

In December, the House of Representatives passed the Border Protection, Antiterrorism, and Illegal Immigration Control Act. This Senate has passed a different immigration bill. The House bill does more to gain "operational control" of our border. The House bill requires more miles of fencing, while the Senate bill hinders fencing our southern border by requiring what one witness will testify to be unprecedented and problematic consultation with Mexican authorities. This witness will testify also to how the Senate bill ties the hands of state and local law enforcement officials in combating terrorism.

No one is eager to devote more resources to border security. Or build border fences. These policies have costs, which we wouldn't accept in a better world. But we live in an age when dedicated terrorists want to hit us as hard as they can. They want to knock us out. So we need to be responsible. Our country has made progress in fighting terrorism since 9-11, but in some areas, we're losing ground, including the most fundamental task of securing our physical borders. It's my goal for the hearing today to help advance this cause, much in the way that I think we did with our Customs and Immigration Services hearing earlier this year.